THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.7929 of 2006

Dt.20-04-2006

Between:

Bodigani Patteda Weaker Sections Welfare Society, L.B.Nagar,

Tirupathi-2, rep. by its President V.Tirumalaiah and others

..Petitioner

and

1. The Regional Joint Commissioner of Endowmetns, Tirupathi,

   Chittoor and others.

..Respondents.

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Oral Order:

Petitioners claim to be poor and down trodden occupied three acres of land in Sy.No.302, erected huts and living therein since for the last more than 25 years to the knowledge of the Government officials. Therefore, without following the procedure they should not be evicted from the said land and the officials of the respondent frequently interfering with their possession and trying to evict them forcibly.

With the above averments they sought Mandamus not to interfere with their possession and enjoyment over an extent of 3 acres of land in Sy.No.302 in Kondrajupatteda/Seethammanagar, M.R.Palli Village, Tirupathi Mandal, Chittoor District.

No worthy evidence has been produced evidencing their occupation and possession over an extent of 3 acres. If the claim of the petitioners is accepted that they are poor and down trodden, necessary rational cards will be issued by showing the hut numbers where they are residing, but the same has not been produced.

In view of the same, the plea of the petitioners that they are in occupation of three acres of land and should not be evicted cannot be accepted. However, if there are any unauthorized occupations in the Government land of three acres, it is always open for the respondents to follow the due procedure under the provisions of Land Encroachment Act or any other enactment for due eviction. Without following the same the unauthorized occupation, if any, cannot be removed.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

20-04-2006

Note: Issue CC today.

(bo)

Murthy